

ESTTA Tracking number: **ESTTA475738**

Filing date: **06/01/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204029
Party	Defendant SpineNet, LLC
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Date	06/01/2012
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 85/276,563
Filed: March 25, 2011
For Mark: DAYTONA ACC
Published in the Official Gazette: August 30, 2011

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SEASPINE, INC.,

Opposition No. 91204029

Opposers,

v.

SPINENET LLC,

Applicant.

-----X

STIPULATION TO EXTEND TIME TO RESPOND

Applicant, by and through counsel, hereby moves for a stipulation to extend time to respond in this matter for a period of sixty (30) days, until July 7, 2012 and to move all scheduled dates for the TTAB case forward thirty (30) days. Opposers' counsel consented to this stipulation, which is requested to allow the parties to continue to engage in settlement discussions.

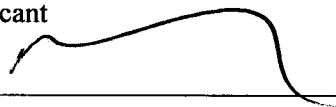
Progress had been made towards settlement of this proceeding. Opposer's outside counsel and Applicant's general counsel Mark L. Van Valkenburgh have had communications regarding a proposed settlement. The additional time is requested to allow Applicant's general counsel to provide its comments and continue negotiations. If accepted, the settlement would resolve this matter without the need to proceed with an opposition.

If the Board grants this stipulation, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition. As such, the parties request all dates for the TTAB be reset as follows:

Time to Answer	July 6, 2012
Deadline for Discovery Conference	August 6, 2012
Discovery Opens	August 6, 2012
Initial Disclosures Due	September 5, 2012

Expert Disclosures Due	January 3, 2013
Discovery Closes	February 2, 2013
Plaintiff's Pretrial Disclosures	March 16, 2013
Plaintiff's 30-day Trial Period Ends	May 2, 2013
Defendant's Pretrial Disclosures	May 17, 2013
Defendant's 30-day Trial Period Ends	July 1, 2013
Plaintiff's Rebuttal Disclosures	July 16, 2013
Plaintiff's 15 Rebuttal Period Ends	August 16, 2013
Dated: Cocoa, Florida June 1, 2012	

LAW OFFICES OF BRIAN S. STEINBERGER
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By: 

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